

**Application No.: 10/538,993**  
**Filing Date: September 28, 2005**

## **REMARKS**

In response to the restriction requirement set forth in the communication, Applicant elects to prosecute Group I, Claims 1-10, 12-15, 18, and 21. Note that Applicant intends to request rejoinder of the method claims of Groups II and III, upon indication of allowable subject matter for the Group I claims.

In response to the election of species requirement, Applicants elect Formula IB, wherein n is 0; X<sub>1</sub> and X<sub>2</sub> are each independently -OMe; R<sub>1</sub> and R<sub>2</sub> are each independently hydrogen, X<sub>3</sub> participates in an oxo functional group, X<sub>4</sub> is hydrogen, X<sub>5</sub> participates in a double bond between the carbon atoms in position 4 and 5, X<sub>6</sub> is hydrogen, and X<sub>7</sub> is cellobiosyl. The elected species corresponds to compound UBS3327 of claim 14. Claims 1-10, 12, 14, 18, and 21 read upon the elected species.

This election is made with traverse. The Examiner states that the shared technical feature of Groups I-III is the compound of Formula IV. Applicants disagree with the Examiner's characterization of the claimed invention. In Applicants' view, the shared inventive technical feature linking Groups I to III is the compound of Formula IB as shown in claim 1. The compound of Formula IV does not fall within the scope of the compound claims 1-10, 12-15, 18 and 21. Applicants assert that compounds falling within the scope of Formula IB have a shared inventive technical feature which links Groups I to III and the chemical species included therein. Accordingly, reconsideration and withdrawal of the restriction and election of species requirement is respectfully requested.

This election is made without prejudice or disclaimer. Applicant reserves the right to pursue the remaining claims in a divisional application.

### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure,

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including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

**Co-Pending Applications of Assignee**

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

Docket No.	Serial No.	Title	Filed
DECLE106.002APC	10/582121	GLYCOSYLATED STEROID DERIVATIVES WITH ANTI- MIGRATORY ACTIVITY	08-Jun- 2006

**Conclusion**

Should there be any questions concerning this application, the Examiner is invited to contact the undersigned agent at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 22, 2009

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